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EXAMINER SANDERS, AARON J				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/526,750

Applicant(s)

PFERDEKAEMPER ET AL.

Examiner

AARON SANDERS

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11, 12 and 15-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11, 12 and 15-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 03/25/2008
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9 January 2008 has been entered.

Response to Amendment

The amendment filed 9 January 2008 has been entered. Claims 1-9, 11-12, and 15-31 are pending. Claims 1, 3, 11-12, 16, 23, and 25 are amended. Claims 10 and 13-14 are cancelled.

Information Disclosure Statement

The International Search Report and the Information Disclosure Statement submitted to the Office 7 March 2005 lists the reference STEFANI H.: "Datenarchivierung mit SAP," SAP Press, Galileo Press GmbH, Bonn, XP002266517 ISBN: 3-89842-212-7, pp. 35-40, 57, 63-75, 84-85, and 211-12, (2002). Applicant has filed a copy of this reference in German, but is required to file an English translation also.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the method of claims 1 and 12 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112 First Paragraph

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 11, 12, and 23 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed

invention. Specifically, the specification does not mention “displaying... whether the read and/or write access... can be performed” and “restricting a read and/or write access on the data object”.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 12 and 15-31 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As per claims 23-31, the instant claims are directed to software per se. Independent claim 23 recites a computer program per se and functional descriptive material consisting of data structures and computer programs, which impart functionality when employed as a computer component. As such, the instant claims are not limited to statutory subject matter and are therefore non-statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8.

As per claims 12 and 15-22, according to the instant specification (see pg. 17, line 21), the computer readable medium includes propagation media, which are commonly carrier waves. As such, the instant claims are non-statutory.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9, 11-12, and 15-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenz, U.S. 5,566,319 (Lenz), in view of Teng et al., U.S. 2003/0004945 (Teng).

1. Lenz teaches “A method for accessing, in a computer system, a data object having an identifier (ID) and stored in a first storage location,” see col. 1, line 66 – col. 2, line 23, “a method of controlling access to data in storage which data and storage are shared by a plurality of processors.”

Lenz teaches “comprising: storing the ID in a second lock object,” see Fig. 3, where the claimed “second lock object” is the referenced array of “Shared Data Record[s]” for “006”, “007”, “008”, etc. Teng also teaches “a second lock object,” see [0042], “As seen in lock table 204, at least information on the row identification (‘RID’)... are recorded therein.”

Lenz teaches “determining whether the ID is contained in a first lock object,” see Fig. 3 and col. 3, lines 1-10, “By using the search key ‘007’ during the execution of the lock instruction, the part of the lock file containing the control field for record 007 is addressed for writing” where the claimed “first lock object” is the referenced “Lock-File” 3-1. Teng also teaches “a first lock object,” see Fig. 1 and [0005], “In the example, each row of the inventory table index 44’ corresponds to a row of the inventory table 14’ but contains only the store and model information of that row, as well as the table row RID.”

Lenz teaches “and if the link is assigned to the ID, restricting a read and/or write access on the data object,” see Fig. 3 and col. 5, lines 51-55, “SKC could be 1: block not empty (at least

one control field not empty), i.e. an access right may only be granted after detailed examination” where “SKC” means “status identification code.”

Lenz teaches “and if the link is not assigned to the ID,” see Fig. 4 and col. 4, line 34 – col. 5, line 3, “access rights are withdrawn in steps 4-8, 4-9 and 4-10 (the unlock instruction is carried out), i.e. a new ZVI is entered in the lock file” where “ZVI” means “access administration information”; “deleting the ID from the first lock object,” see e.g. Fig. 4 and col. 4, line 34 – col. 5, line 3, “the status identification code is updated accordingly in step 4-10, for example, to the effect that the control field is now empty and may be overwritten without having to be read later on”; “and performing the read and/or write access on the data object,” see Fig. 3 and col. 5, lines 49-50, “SKC could be 0: block empty (all control fields empty), i.e. an access right may be granted immediately.”

Lenz teaches “and if the ID is not contained in the first lock object, performing the read and/or write access on the data object,” see Fig. 3 and col. 3, lines 51-62, “If the examination of the status identification code SKC shows that the write operation into the control field for account record 007, refer to 3-2 for instance, may be executed, this write operation is carried out and the status identification code SKC is updated according to the write request.”

Lenz teaches “and displaying to a user, on an output display, whether the read and/or write access on the data object is restricted or can be performed,” see Fig. 6 and col. 5, line 60 – col. 6, line 7, “FIG. 6 is a schematic time diagram illustrating how two processors at different times access a record addressable by the key ‘007’ for executing a read instruction.”

Lenz does not teach “if the ID is contained in the first lock object, determining whether a link to a second storage location having a copy of the data object is assigned to the ID in the first

lock object.” Teng does, however, see [0005], “Thus, the inventory table index 44 indexes the inventory table 14 using the store 22 and the model 26 columns of the inventory table 14, and the table row RID serves as the pointer to the table row” where the claimed “second storage” is the referenced “inventory table 14.” Thus, it would have been obvious to one of ordinary skill in the database art at the time of the invention to combine the teachings of the cited references because Teng’s teachings would have allowed Lenz’s method to gain a way to uniquely locate the lock object, see [0006].

2. Lenz teaches “The method of claim 1, wherein the first lock object is a file stored on a nonvolatile storage means,” see Fig. 3 and col. 1, line 66 – col. 2, line 23, “Each of the processors has a local main storage. The shared storage is located outside of the main storage and stores a lock file.”

3. Lenz teaches “The method of claim 1, wherein the first lock object comprises a table having a first column for the ID and a second column for the link of the ID to the second storage location,” see Fig. 3, “Lock-File” 3-1.

4. Lenz teaches “The method of claim 1, wherein each data object comprises one or more fields of one or more tables and wherein the ID comprises one or more key fields of the one or more tables,” see Fig. 5.

5. Lenz teaches “The method of claim 4, wherein the link is a filename or a link to a file,” see Fig. 3 and col. 1, line 66 – col. 2, line 23, “Each of the control fields is associated with a corresponding data address.”

6. Lenz teaches “The method of claim 1, wherein the first lock object is created by a data moving process,” see col. 1, line 66 – col. 2, line 23, “a method of controlling access to data in storage which data and storage are shared by a plurality of processors.”

7. Lenz teaches “The method of claim 1, wherein the second lock object is stored in a volatile storage means,” see Fig. 3 and col. 1, line 66 – col. 2, line 23, “Each of the processors has a local main storage. The shared storage is located outside of the main storage and stores a lock file.”

8. Lenz teaches “The method of claim 1, wherein the second lock object is a data array,” see Fig. 3, the array of “Shared Data Record[s]” for “006”, “007”, “008”, etc.

9. Lenz teaches “The method of claim 8 wherein the data array is one dimensional,” see Fig. 3, the array of “Shared Data Record[s]” for “006”, “007”, “008”, etc.

11. Lenz teaches “A computer system for processing data, comprising: memory means for storing program instructions,” see Fig. 3, “Local Main Storage 1” 3-6.

Lenz teaches “input means for entering data,” see Fig. 3, “Writing.”

Lenz teaches “storage means for storing data,” see Fig. 3, shared storage 3-9.

Lenz teaches “a processor responsive to the program instructions, wherein the program instructions comprise program code means for performing a method for accessing a data object having an identifier (ID) and stored in a first storage location,” see Fig. 3 and col. 1, line 66 – col. 2, line 23, “a method of controlling access to data in storage which data and storage are shared by a plurality of processors.”

Lenz teaches “the method comprising: storing the ID in a second lock object,” see Fig. 3, where the claimed “second lock object” is the referenced array of “Shared Data Record[s]” for

“006”, “007”, “008”, etc. Teng also teaches “a second lock object,” see [0042], “As seen in lock table 204, at least information on the row identification (‘RID’)... are recorded therein.”

Lenz teaches “determining whether the ID is contained in a first lock object,” see Fig. 3 and col. 3, lines 1-10, “By using the search key ‘007’ during the execution of the lock instruction, the part of the lock file containing the control field for record 007 is addressed for writing” where the claimed “first lock object” is the referenced “Lock-File” 3-1. Teng also teaches “a first lock object,” see Fig. 1 and [0005], “In the example, each row of the inventory table index 44’ corresponds to a row of the inventory table 14’ but contains only the store and model information of that row, as well as the table row RID.”

Lenz teaches “if the link is assigned to the ID, restricting a read and/or write access on the data object,” see Fig. 3 and col. 5, lines 51-55, “SKC could be 1: block not empty (at least one control field not empty), i.e. an access right may only be granted after detailed examination” where “SKC” means “status identification code.”

Lenz teaches “and if the link is not assigned to the ID,” see Fig. 4 and col. 4, line 34 – col. 5, line 3, “access rights are withdrawn in steps 4-8, 4-9 and 4-10 (the unlock instruction is carried out), i.e. a new ZVI is entered in the lock file”; “deleting the ID from the first lock object,” see Fig. 4 and col. 4, line 34 – col. 5, line 3, “the status identification code is updated accordingly in step 4-10, for example, to the effect that the control field is now empty and may be overwritten without having to be read later on”; “and performing the read and/or write access on the data object,” see Fig. 3 and col. 5, lines 49-50, “SKC could be 0: block empty (all control fields empty), i.e. an access right may be granted immediately.”

Lenz teaches “and if the ID is not contained in the first lock object, performing the read and/or write access on the data object,” see Fig. 3 and col. 3, lines 51-62, “If the examination of the status identification code SKC shows that the write operation into the control field for account record 007, refer to 3-2 for instance, may be executed, this write operation is carried out and the status identification code SKC is updated according to the write request.”

Lenz teaches “and displaying to a user, on an output display, whether the read and/or write access on the data object is restricted or can be performed,” see Fig. 6 and col. 5, line 60 – col. 6, line 7, “FIG. 6 is a schematic time diagram illustrating how two processors at different times access a record addressable by the key ‘007’ for executing a read instruction.”

Lenz does not teach “if the ID is contained in the first lock object, determining whether a link to a second storage location having a copy of the data object is assigned to the ID in the first lock object.” Teng does, however, see [0005], “Thus, the inventory table index 44 indexes the inventory table 14 using the store 22 and the model 26 columns of the inventory table 14, and the table row RID serves as the pointer to the table row” where the claimed “second storage” is the referenced “inventory table 14.” Thus, it would have been obvious to one of ordinary skill in the database art at the time of the invention to combine the teachings of the cited references because Teng’s teachings would have allowed Lenz’s method to gain a way to uniquely locate the lock object, see [0006].

12. Lenz teaches “A computer readable medium comprising instructions for performing a method for accessing a data object having an identifier (ID) and stored in a first storage location in a computer system,” see col. 1, line 66 – col. 2, line 23, “a method of controlling access to data in storage which data and storage are shared by a plurality of processors.”

Lenz teaches “the method comprising: storing the ID in a second lock object,” see Fig. 3, where the claimed “second lock object” is the referenced array of “Shared Data Record[s]” for “006”, “007”, “008”, etc. Teng also teaches “a second lock object,” see [0042], “As seen in lock table 204, at least information on the row identification (‘RID’)... are recorded therein.”

Lenz teaches “and determining whether the ID is contained in a first lock object,” see Fig. 3 and col. 3, lines 1-10, “By using the search key ‘007’ during the execution of the lock instruction, the part of the lock file containing the control field for record 007 is addressed for writing” where the claimed “first lock object” is the referenced “Lock-File” 3-1. Teng also teaches “a first lock object,” see Fig. 1 and [0005], “In the example, each row of the inventory table index 44’ corresponds to a row of the inventory table 14’ but contains only the store and model information of that row, as well as the table row RID.”

Lenz teaches “and if the link is assigned to the ID, restricting a read and/or write access on the data object,” see Fig. 3 where, see col. 5, lines 51-55, “SKC could be 1: block not empty (at least one control field not empty), i.e. an access right may only be granted after detailed examination.”

Lenz teaches “and if the link is not assigned to the ID,” see Fig. 4 and col. 4, line 34 – col. 5, line 3, “access rights are withdrawn in steps 4-8, 4-9 and 4-10 (the unlock instruction is carried out), i.e. a new ZVI is entered in the lock file”; “deleting the ID from the first lock object,” see Fig. 4 and col. 4, line 34 – col. 5, line 3, “the status identification code is updated accordingly in step 4-10, for example, to the effect that the control field is now empty and may be overwritten without having to be read later on”; “and performing the read and/or write access

on the data object,” see Fig. 3 and col. 5, lines 49-50, “SKC could be 0: block empty (all control fields empty), i.e. an access right may be granted immediately.”

Lenz teaches “and if the ID is not contained in the first lock object, performing the read and/or write access on the data object,” see Fig. 3 and col. 3, lines 51-62, “If the examination of the status identification code SKC shows that the write operation into the control field for account record 007, refer to 3-2 for instance, may be executed, this write operation is carried out and the status identification code SKC is updated according to the write request.”

Lenz teaches “and displaying to a user, on an output display, whether the read and/or write access on the data object is restricted or can be performed,” see Fig. 6 and col. 5, line 60 – col. 6, line 7, “FIG. 6 is a schematic time diagram illustrating how two processors at different times access a record addressable by the key ‘007’ for executing a read instruction.”

Lenz does not teach “if the ID is contained in the first lock object, determining whether a link to a second storage location having a copy of the data object is assigned to the ID in the first lock object.” Teng does, however, see [0005], “Thus, the inventory table index 44 indexes the inventory table 14 using the store 22 and the model 26 columns of the inventory table 14, and the table row RID serves as the pointer to the table row” where the claimed “second storage” is the referenced “inventory table 14.” Thus, it would have been obvious to one of ordinary skill in the database art at the time of the invention to combine the teachings of the cited references because Teng’s teachings would have allowed Lenz’s method to gain a way to uniquely locate the lock object, see [0006].

15. Lenz teaches “The computer readable medium of claim 12, wherein the first lock object is a file stored on a nonvolatile storage means,” see Fig. 3 and col. 1, line 66 – col. 2, line

23, "Each of the processors has a local main storage. The shared storage is located outside of the main storage and stores a lock file."

16. Lenz teaches "The computer readable medium of claim 12, wherein the first lock object comprises a table having a first column for the ID and a second column for the link of the ID to the second storage location," see Fig. 3, "Lock-File" 3-1.

17. Lenz teaches "The computer readable medium of claim 12, wherein each data object comprises one or more fields of one or more tables and wherein the ID comprises one or more key fields of the one or more tables," see Fig. 5.

18. Lenz teaches "The computer readable medium of claim 12, wherein the link is a filename or a link to a file," see Fig. 3 and col. 1, line 66 – col. 2, line 23, "Each of the control fields is associated with a corresponding data address."

19. Lenz teaches "The computer readable medium of claim 12, wherein the first lock object is created by a data moving process (See e.g. col. 1, line 66 – col. 2, line 23, "a method of controlling access to data in storage which data and storage are shared by a plurality of processors."

20. Lenz teaches "The computer readable medium of claim 12, wherein the second lock object is stored in a volatile storage means," see Fig. 3 and col. 1, line 66 – col. 2, line 23, "Each of the processors has a local main storage. The shared storage is located outside of the main storage and stores a lock file."

21. Lenz teaches "The computer readable medium of claim 12, wherein the second lock object is a data array," see Fig. 3, the array of "Shared Data Record[s]" for "006", "007", "008", etc.

22. Lenz teaches “The computer readable medium of claim 21, wherein the data array is one dimensional,” see Fig. 3, the array of “Shared Data Record[s]” for “006”, “007”, “008”, etc.

23. Lenz teaches “A computer system for processing data,” see Fig. 3 and col. 1, line 66 – col. 2, line 23, “a method of controlling access to data in storage which data and storage are shared by a plurality of processors.”

Lenz teaches “comprising: means for storing an identifier (ID) in a second lock object,” see Fig. 3, where the claimed “second lock object” is the referenced array of “Shared Data Record[s]” for “006”, “007”, “008”, etc. Teng also teaches “a second lock object,” see [0042], “As seen in lock table 204, at least information on the row identification (‘RID’)... are recorded therein.”

Lenz teaches “means for determining whether the ID is contained in a first lock object,” see Fig. 3 and col. 3, lines 1-10, “By using the search key ‘007’ during the execution of the lock instruction, the part of the lock file containing the control field for record 007 is addressed for writing” where the claimed “first lock object” is the referenced “Lock-File” 3-1. Teng also teaches “a first lock object,” see Fig. 1 and [0005], “In the example, each row of the inventory table index 44’ corresponds to a row of the inventory table 14’ but contains only the store and model information of that row, as well as the table row RID.”

Lenz teaches “and if the link is assigned to the ID, restricting a read and/or write access on the data object,” see Fig. 3 and col. 5, lines 51-55, “SKC could be 1: block not empty (at least one control field not empty), i.e. an access right may only be granted after detailed examination.”

Lenz teaches “and if the link is not assigned to the ID,” see Fig. 4 and col. 4, line 34 – col. 5, line 3, “access rights are withdrawn in steps 4-8, 4-9 and 4-10 (the unlock instruction is

carried out), i.e. a new ZVI is entered in the lock file”; “deleting the ID from the first lock object,” see Fig. 4 and col. 4, line 34 – col. 5, line 3, “the status identification code is updated accordingly in step 4-10, for example, to the effect that the control field is now empty and may be overwritten without having to be read later on”; “and performing the read and/or write access on the data object,” see Fig. 3 and col. 5, lines 49-50, “SKC could be 0: block empty (all control fields empty), i.e. an access right may be granted immediately.”

Lenz teaches “and if the ID is not contained in the first lock object, performing the read and/or write access on the data object,” see Fig. 3 and col. 3, lines 51-62, “If the examination of the status identification code SKC shows that the write operation into the control field for account record 007, refer to 3-2 for instance, may be executed, this write operation is carried out and the status identification code SKC is updated according to the write request.”

Lenz teaches “and means for displaying to a user, on an output display, whether the read and/or write access on the data object is restricted or can be performed,” see Fig. 6 and col. 5, line 60 – col. 6, line 7, “FIG. 6 is a schematic time diagram illustrating how two processors at different times access a record addressable by the key ‘007’ for executing a read instruction.”

Lenz does not teach “if the ID is contained in the first lock object, determining whether a link to a second storage location having a copy of the data object is assigned to the ID in the first lock object.” Teng does, however, see [0005], “Thus, the inventory table index 44 indexes the inventory table 14 using the store 22 and the model 26 columns of the inventory table 14, and the table row RID serves as the pointer to the table row” where the claimed “second storage” is the referenced “inventory table 14.” Thus, it would have been obvious to one of ordinary skill in the database art at the time of the invention to combine the teachings of the cited references because

Teng's teachings would have allowed Lenz's method to gain a way to uniquely locate the lock object, see [0006].

24. Lenz teaches "The computer system of claim 23, wherein first lock object is a file stored on a nonvolatile storage means," see Fig. 3 and col. 1, line 66 – col. 2, line 23, "Each of the processors has a local main storage. The shared storage is located outside of the main storage and stores a lock file."

25. Lenz teaches "The computer system of claim 23, wherein the first lock object comprises a table having a first column for the ID and a second column for the link of the ID to the second storage location," see Fig. 3, "Lock-File" 3-1.

26. Lenz teaches "The computer system of claim 23, wherein each data object comprises one or more fields of one or more tables and wherein the ID comprises one or more key fields of the one or more tables," see Fig. 5.

27. Lenz teaches "The computer system of claim 23, wherein the link is a filename or a link to a file," see Fig. 3 and col. 1, line 66 – col. 2, line 23, "Each of the control fields is associated with a corresponding data address."

28. Lenz teaches "The computer system of claim 23, wherein the first lock object is created by a data moving process," see col. 1, line 66 – col. 2, line 23, "a method of controlling access to data in storage which data and storage are shared by a plurality of processors."

29. Lenz teaches "The computer system of claim 23, wherein the second lock object is stored in a volatile storage means," see Fig. 3 and col. 1, line 66 – col. 2, line 23, "Each of the processors has a local main storage. The shared storage is located outside of the main storage and stores a lock file."

30. Lenz teaches “The computer system of claim 23, wherein the second lock object is a data array,” see Fig. 3, the array of “Shared Data Record[s]” for “006”, “007”, “008”, etc.

31. Lenz teaches “The computer system of claim 30, wherein the data array is one dimensional,” see Fig. 3, the array of “Shared Data Record[s]” for “006”, “007”, “008”, etc.

Response to Arguments

As per Applicant's argument that the drawings show the method of claims 1 and 12, the Examiner respectfully disagrees. Specifically, Applicant has not pointed to where the drawings show the steps of “storing the ID in a second lock object,” “determining whether the ID is contained in a first lock object,” “if the ID is contained,” “if the ID is not contained,” “if the link is assigned,” “if the link is not assigned,” and “displaying.”

As per Applicant's argument that claims 1, 11-12, and 23 do not contain new matter, the Examiner respectfully disagrees. It is not at all clear from the cited portions of the specification that “displaying... whether the read and/or write access... can be performed” is not new. Just because there is an “output means 112” and “the application can have read/write access to the data object” does not mean that anything is displayed. Further, the fact that the application cannot have read/write access to the data object is not equivalent to actively “restricting a read and/or write access on the data object.” Claim limitations should not be implied in the specification, as Applicant alleges they are here.

As per Applicant's argument that claims 11-12 and 15-31 are statutory under 35 U.S.C. 101, the Examiner respectfully disagrees. As per system claim 23, Applicant relies on using an

“output display” to make the claim statutory, but it is not an element of the claimed system. Instead, at best, it is for use with the claimed system. Its use in the limitation is also new matter.

As per claims 12-22, according to the instant specification (see pg. 17, line 21), the computer readable medium includes propagation media, which are commonly carrier waves. Simply deleting “propagation medium” from the specification is insufficient. Applicant must make a specific disavowal of the “propagation medium,” or simply amend the claims to recite a “computer-readable storage medium,” provided there is support for it in the specification.

As per Applicant’s argument that Lenz does not teach “if the ID is contained in the first lock object, determining whether a link to a second storage location having a copy of the data object is assigned to the ID in the first lock object,” the Examiner agrees. Teng does, however, see [0005], “Thus, the inventory table index 44 indexes the inventory table 14 using the store 22 and the model 26 columns of the inventory table 14, and the table row RID serves as the pointer to the table row” where the claimed “second storage” is the referenced “inventory table 14.” Thus, it would have been obvious to one of ordinary skill in the database art at the time of the invention to combine the teachings of the cited references because Teng’s teachings would have allowed Lenz’s method to gain a way to uniquely locate the lock object, see [0006].

Applicant should note that the recitation “an identifier (ID) stored in a first storage location” has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to

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stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Aaron Sanders whose telephone number is 571-270-1016. The Examiner can normally be reached on M-F 8:00a-4:00p.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Tim Vo can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Tim T. Vo/
Supervisory Patent Examiner, Art Unit
2168

/Aaron Sanders/
Examiner, Art Unit 2168
2 April 2008

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/S. P./

Primary Examiner, Art Unit 2164